

MINUTES
LEXINGTON COUNTY COUNCIL
April 8, 2003

Lexington County Council held its regular meeting on Tuesday, April 8, 2003, in Council Chambers, beginning at 4:30 p.m. Chairman Davis presided; Mr. Jeffcoat gave the invocation; Mr. Derrick led the Pledge of Allegiance.

Members attending:	George H. Smokey Davis	John W. Carrigg, Jr.
	Bruce E. Rucker	William C. Billy Derrick
	Jacob R. Wilkerson	Bobby C. Keisler
	Johnny W. Jeffcoat	Joseph W. Joe Owens
	M. Todd Cullum	

Also attending: Art Brooks, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; Katherine Doucett, Personnel Director/Deputy County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Employee Recognition - Art Brooks, County Administrator - Mr. Brooks recognized Kathy Wells and Sandra Smith, Assessor's Office. A citizen wrote Rick Dolan, Assessor, commending Kathy and Sandra for being responsive, cordial and helpful when he visited the office needing tax information on properties contiguous to his. The citizen thanked the county for hiring and retaining such professional, courteous and customer-oriented employees.

National Public Safety Telecommunicators Week - April 13-19, 2003 - Mr. Brooks recognized Neil Ellis who introduced Nikki Rodgers and Chris Narewski who work in the Communications Division.

Mr. Brooks stated that the 911 dispatchers are the critical link between the public and a coordinated emergency response. The week of April 13-19 will honor all Telecommunicators throughout the County. Dispatchers are required to be trained in various technologies including Automatic Vehicle Location System, Emergency Medical Dispatch, National Crime Information System, Computer Aided Dispatch, radio programs and use of TDD (Telecommunications Device for the Deaf or Hearing Impaired). He stated that on April 15 and 17, in order to accommodate the shifts, lunch will be served at 11:30 a.m.

Appointments - No appointments were made.

Resolutions - Poultry Festival - A motion was made by Mr. Derrick and seconded by Mr. Jeffcoat that the Resolution for the Poultry Festival be approved.

In Favor:	Mr. Derrick	Mr. Jeffcoat
	Mr. Rucker	Mr. Wilkerson
	Mr. Keisler	Mr. Carrigg
	Mr. Owens	Mr. Cullum

Mr. Derrick stated that Council members were invited and encouraged to attend.

American Legion Post 7 - Rally for the Troops and Blue Banner Recipients - A motion was made by Mr. Cullum and seconded by Mr. Derrick that the Resolution for American Legion Post 7 be approved.

In Favor:	Mr. Cullum	Mr. Derrick
	Mr. Rucker	Mr. Wilkerson
	Mr. Keisler	Mr. Carrigg
	Mr. Jeffcoat	Mr. Owens

Chairman's Report - Update on Imaging Program - Jim Schafer, Director, Information Services - Clerk of Court/Sheriff's Department - Mr. Schafer stated that Council gave staff direction and a challenge to use technology to make county government more efficient - to make it easier for citizens to access information. He stated that a number of county departments work with documents and information that citizens want access to; so a part of any effort along those lines involves document imaging - capturing documents in an image form that can be seen on computers at the citizens' homes, offices, between offices and the county, etc. Mr. Schafer stated that it was Council's direction to reap the benefits of technology to make the county's operation more efficient that prompted staff to become involved in document imaging. He stated that Council has approved the county moving forward in a way that we will have one county-owned system that will be replicatable, reproducible, for the use of a multiple of different departments. Two pilot projects were undertaken - Family Court to replace an obsolete and no longer supportive document imaging system and the Sheriff's Department to introduce document imaging for the first time. To assist staff in accomplishing those objectives, Council approved the employment of various resources, including a document imaging consultant, Axiom Corporation, which has been helping staff with the pilot projects. He stated that staff is mentoring with them, learning from them, cooperating with them so that after the pilot projects staff will be able to pick this up and replicate the program in other departments with county staff. As a part of the work for the pilot project, Axiom completed a records management process analysis report for each of the two pilot project departments. Mr. Schafer introduced Birney Rando, Vice President, Axiom Corporation, who prepared the records management process analysis reports.

Mr. Rando introduced Brent Quick, who also worked with Mr. Rando, who did the imaging implementation design and analysis and who completed the process analysis under discussion. He stated that individual analyses were done for the Sheriff's Department and Family Court.

Mr. Rando stated that current practices in the Sheriff's Department adequately support current operations with very little redundancy or duplication. He stated they were very efficient, they really do a great job and they were impressed with the way they do business and manage not

only the safety and physical security of the records but the confidentiality of them. Mr. Rando stated that when the imaging system is up it will help them with searching documents. Instead of going roll by roll of microfilm, they will be able to go to any document they want based on case number or whatever else they choose. He stated that the platform they have there and the applications they are running will very easily integrate with the system.

Mr. Rando stated that the personnel in Family Court are very conscious of what they do, very knowledgeable of their jobs and they have an excellent awareness of the governing laws that dictate what they do and how they manage records. He stated that there were some redundancies, the Court was not as automated as the Sheriff's Department, however, most of this is attributed to the manual systems being used. Mr. Rando stated that a lot of paper is pushed through the courts and with the manual operation it causes personnel to write certain things down multiple times. He stated that several opportunities exist for improvement and they believe the imaging system will help that as will adhering to the new IT standards that will pretty much govern the imaging system.

Mr. Davis asked if there was a state law, or did Mr. Rando have a recommendation on how long records should be kept from the Clerk of Court's office.

Mr. Rando stated that each document type has its own disposition schedule - some have a lifetime; some are so many years after a case is closed. He stated that he was not really familiar with document type, document type; it was something that was up to the state.

Mr. Davis stated that in the report it is stated that the Clerk of Court should seriously consider more restrictive policies on the removal of records from the file room by employees and asked Mr. Rando what he found.

Mr. Rando asked Mr. Quick to address the question.

Mr. Quick stated that if he remembered correctly this was where people within the court or the courthouse area would pull records and keep them on their desks for a while; if someone else looks for the record, it was out of the file and not tracked. He stated it was not a major problem, but it is if you're looking for a record and it isn't there.

Mr. Jeffcoat, referring to the executive summary of Family Court, asked if the imaging system would answer item 15 - the flow of documents to and from the records management group can be improved and made more efficient.

Mr. Rando responded yes, right now if someone brings documents in they are in a file or box; if someone else needs them they have to go pick them up and they're at their desk. When the imaging system is implemented, you will be able to sit at your desk and on your desktop computer type in the case number and there will be no need to touch the physical documents.

Mr. Jeffcoat asked about item 11 - document preparation time for scanning is greater than necessary because the scanning clerk must spend approximately 40% of time removing staples, post-it-notes and paper clips and sorting pages before scanning and then reattaching notes after scanning.

Mr. Rando stated that item 11 and 15 were related. He stated they found post-it notes on documents, clips, sub-sets stapled; the documents can not be scanned with post-it notes, clip, staples, etc.

Mr. Jeffcoat asked if the 17 items in the executive summary would be affected by the imaging program.

Mr. Rando stated that he would say yes; but he did not know if it would be 100%; all items were candidates for improvement or totally addressed.

Mr. Jeffcoat asked Mr. Rando which item would be least likely to be affected.

Mr. Rando stated that they had not thought about that question.

Mr. Schafer interjected that the document prep involves getting attorneys to cooperate and to voluntarily have less notes, clips, and follow standards on the documents they hand in to be recorded. He stated that they would have to encourage and cajole and try to get compliance; whether they can get the judges to support staff and encourage the attorneys to have cleaner document submissions was not known. Judge Westbrook indicated that he would be glad to discuss this with staff; as far as having control of issues, this is one that may be a little harder to implement.

Mr. Wilkerson stated that he believed he read in one of the items about the use of a cover sheet that would eliminate notes, etc., there were simple ways to take care of it.

Mr. Schafer stated there were simple ways to take care of it, but getting people to voluntarily change, who don't work for you, they're independent.....

Mr. Rando stated that based on the comments, they believed item 4 would probably be the least affected by the automation of the system - the development and implementation of in-house written procedures describing processes as needed.

Mr. Jeffcoat stated that one simple way to minimize the notes, etc., would be to simply not record the document if it is not turned in right.

Mr. Davis stated that some departments have used imaging and had actually had a reduction in staff. He asked if this system could achieve those kinds of efficiencies.

Mr. Rando stated that he had been doing this type work since the 80's and what he had seen pretty much across the board is more of replacing staff; it will prevent growth of staff; it will reduce the requirement to hire more full time employees because of the efficiencies.

Administrator's Report - Sample Employee ID Cards - Mr. Brooks provided sample ID cards for Council's review. He stated that the Personnel Department will be moving forward with the ID system.

FY 2003-04 Budget - Mr. Porth stated that at the request of Council the requested budget has been placed on the Internet and instead of providing paper copies, each Council member would receive a disc. He stated that the General Fund requested budget is \$70.3 million; the existing programs are \$65.9 million; new programs \$4.3 million. Mr. Porth stated that the current budget is \$62.7 million in the General Fund. He stated that projected revenue estimates amount to around \$64 maybe \$65 million, somewhere in that range.

Mr. Wilkerson asked Mr. Porth if he remembered where most of the increases were.

Mr. Porth responded that he could not; he added that in Law Enforcement and Fire Service, full requests were submitted, however, they have also worked on a recommended budget within revenue estimates. He stated that there were a number of personnel requests, requests from departments for consideration of re-evaluation of positions.

Mr. Davis stated that he has been asked to bring two policy issues forward concerning the budget document - automobile policy for county employees and the holiday schedule as well as paid holidays. He asked Council members if they had issues or items they wished to discuss regarding the budget to let him know so that time could be set aside for discussion.

Mr. Jeffcoat requested that Council have a complete list of all automobiles, who is driving the automobiles, why they're driving them, what qualifies a person to have a vehicle, expenses of each vehicle, the number of miles on the vehicle by the person assigned the vehicle; the number of vehicles in the car pool. He stated that some people who have vehicles assigned to them now would be able to use the pool when they are in need of a vehicle when on county business. Mr. Jeffcoat stated that he wanted the information to include the number of vehicles assigned to individuals that drive them to work, are any used for personal use.

Budget Amendments - There were no budget amendments.

Approval of Minutes - Meeting of March 11, 2003 - A motion was made by Mr.

Carrigg and seconded by Mr. Rucker that the Minutes of March 11, 2003 be approved as submitted.

Mr. Davis opened the meeting for discussion. No discussion occurred.

In Favor:	Mr. Carrigg	Mr. Rucker
	Mr. Derrick	Mr. Wilkerson
	Mr. Keisler	Mr. Jeffcoat
	Mr. Owens	Mr. Cullum

Ordinances - Ordinance 03-1 - An Ordinance to Sell Real Property Owned by the County of Lexington - 0.393 Acre - Formerly a Portion of Medical Circle - 2nd Reading - A motion was made by Mr. Rucker and seconded by Mr. Wilkerson that Ordinance 03-1 receive second reading.

Mr. Davis opened the meeting for discussion. No discussion occurred.

In Favor:	Mr. Rucker	Mr. Wilkerson
	Mr. Derrick	Mr. Keisler
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Owens	Mr. Cullum

Committee Reports - Planning and Administration, B. Rucker, Chairman - Zoning Text Amendment T03-02 - 2nd Reading - Mr. Rucker stated that before Council is an amendment to remove the residence restrictions for the Board of Zoning Appeals and to add the restriction regarding dual office holding.

He stated that during the afternoon Committee meeting, the amendment was discussed and it was the recommendation of the Committee that Council proceed with second reading approval.

A motion was made by Mr. Rucker and seconded by Mr. Cullum that the Committee Report be adopted and Zoning Text Amendment T03-02 receive second reading.

Mr. Davis opened the meeting for discussion.

Mr. Jeffcoat stated that he wanted to know how many municipalities had citizens in the unincorporated areas of the county on their boards. If we are going to work together he wanted to know if there were municipalities which allowed people in the unincorporated area to be on boards. Mr. Jeffcoat stated that he was not totally opposed to the amendment, however, if the county was going to extend its hand, he wanted to see the municipalities extend their hands. He stated that we have municipalities that have their own taxing process, their own laws, rules and he wanted to know more about the issue before he supported it.

Mr. Owens stated, speaking for West Columbia, you must be a citizen of the city to be a

member of a board. He stated that the paramount difference was, you can be a citizen of Lexington County and not be a citizen of West Columbia. Mr. Owens stated that he could understand why the text was written as it was, people in the county did not want people in the towns being on the boards and commissions, but he thought we had outgrown that. He stated that he did not believe the municipalities would agree to having people outside the corporate limits on the boards/commissions.

Mr. Cullum stated that because of the way the districts are drawn, it becomes a problem sometime to find citizens in the unincorporated area to serve. He stated that no one in the unincorporated area had come to him and indicated they wanted to serve in any capacity. Mr. Cullum stated that he believed when the ordinance was written, it was in a time when municipalities and the county were two absolute distinct areas; now, there are gray areas and where the two come together through growth, both have to deal with one another.

Mr. Jeffcoat stated that he did not have a hard time with any one in a municipality serving on a board in the county, but he failed to understand why the consensus is that the municipalities feel like that people in the unincorporated area should not be on their boards, but it's okay for vice versa.

Mr. Derrick stated that there were boards appointed by Council that serve everyone; the Board of Zoning Appeals would be appointed from the unincorporated area because that is the area affected by that Board. He stated that according to the ordinance the Board of Zoning Appeals can consist of not less than three nor more than nine members, therefore, if a Council member has a problem finding someone to fill a position, leave the position vacant rather than change the appointment process.

The question was called for.

In Favor:	Mr. Rucker	Mr. Cullum
	Mr. Wilkerson	Mr. Keisler
	Mr. Owens	Mr. Carrigg
Opposed:	Mr. Derrick	Mr. Jeffcoat

Mr. Carrigg commented that the vote was six to two.

Mr. Davis stated that he had read the rules and he was not supposed to vote unless there was a tie.

Mr. Derrick stated that as the parliamentarian he would look into that.

Mr. Davis stated that he was trying to be appropriate; if Council wanted his feelings on the issue he would speak them and vote.

Mr. Rucker stated that the parliamentarian may want to look into the matter; as a past chairman, he had always voted.

Mr. Derrick commented, you can't represent your constituents by sitting there.

Mr. Davis stated, you are exactly right, but as chairman he believed he was right.

Mr. Carrigg stated, technically I think Mr. Davis is right; historically the chairman has voted.

Mr. Davis stated, you do represent your constituents because you would vote in case of a tie.

Health and Human Services, J. Wilkerson, Chairman - Lexington County Recreation and Aging Commission - Request for Designation to Provide Transportation for the Elderly - Mr. Wilkerson stated that the Committee met during the afternoon to consider a request from the Lexington County Recreation and Aging Commission to be designated as a transportation provider for the elderly in Lexington County.

A motion was made by Mr. Wilkerson and seconded by Mr. Cullum that the Committee Report be adopted and the request of the Lexington County Recreation and Aging Commission be approved.

Mr. Davis opened the meeting for discussion. No discussion occurred.

In Favor:	Mr. Wilkerson	Mr. Cullum
	Mr. Rucker	Mr. Derrick
	Mr. Keisler	Mr. Jeffcoat
	Mr. Owens	Mr. Carrigg

Presentations - Dwight Davis, Chairman, Lexington Soil and Water Conservation District - Update on Programs - Mr. Davis announced that Mr. Dwight Davis was not able to attend and would be rescheduled.

Legislative Update - Mr. Davis asked Mr. Rucker to provide Council with recent action in the Legislature.

Mr. Rucker stated that H.3555 (hog bill) came up for debate last week; Lexington County's Delegation supported the bill. He stated that basically the bill prohibits counties from restricting hog, chicken, cattle farms; counties can not implement any laws that are more stringent than the state (DHEC).

He stated that H.3777 will also be coming up; the bill deals with establishing single voting machines; the problem is that every county has a different way of casting votes; there are no funds to help pay for the machines or the method that may be implemented.

He asked members of Council to contact the senators.

Mr. Owens stated that Council needed to contact senators; that it was his understanding

the bill (hog farm) would have a much tougher time in the Senate than it did the House.

Mr. Rucker stated that Council has gotten along fine with the farmers in Lexington County and asked why did we needed the state meddling in our business.

Mr. Wilkerson stated that he appreciated all Mr. Rucker had done trying get the legislation defeated. He stated that he wished they would not worry about the hog and chicken farms, etc., right now and let local governing bodies regulate those the way they felt best because it does affect our citizens and he wished they would work on something important like getting the budget straightened out.

Mr. Jeffcoat asked what this does to Home Rule; we have a law in place that says that local elected officials will be responsible for those citizens that elected them on the local level. If we decide to make the restrictions for hog farms more strict than what the state wants, then under Home Rule, I think we can do that. I guess my question is the state voted to enact Home Rule some years ago, do they have the right to take that law without acknowledging Home Rule basically and say well this portion you can't use Home Rule, this you can, over here you can not, just so I can serve the people who elected me better and more efficiently, I would like to know what Home Rule means. Obviously I have the wrong idea and I would like for our Delegation to send us an explanation as to what Home Rule means so that we can efficiently and effectively support the folks who have put us here to look after them on the local level. Mr. Jeffcoat stated that this request was not just words, that he wanted Council to adopt a Resolution, write a letter, a letter from the Chairman, whatever, to the Delegation asking them to please give us an explanation as to what Home Rule means because he was confused.

Mr. Cullum stated that he supported Mr. Jeffcoat's request; that he believed what everyone has seen take place is the further erosion of what has been given to us when Home Rule was established. He stated that he was corrected by a legislator who let him know that one piece of legislation doesn't set a precedent for others, but I do understand you can remove one word in a piece of legislation and place another word in it and take out hog farm and put in adult book store or billboard, or whatever, and you have a companion piece of legislation. Mr. Cullum stated that he did not know if the (hog farm) legislation was going to affect Lexington County, but it has unlocked the door and has prepared for them to walk right through it and do as they see fit. He stated that he strongly supported sending the Delegation a letter asking for an explanation of what is Home Rule.

Mr. Derrick stated that he wanted to address one mistake Mr. Jeffcoat made and that was he indicated that the State enacted Home Rule when in actuality the State allowed the citizens to enact Home Rule. He stated that the billboard legislation which is in the Senate will do a very similar thing so we're talking about a slippery slope here and it appears both legislative bodies are eating away at our authority and he was concerned also.

Mr. Owens stated that when Mr. Sanford was running for Governor, he and several others

were told by Mr. Sanford, that he was a big advocate of Home Rule so we might ask him to veto this.

Mr. Rucker stated that the hog bill has not gone to the Senate yet.

Mr. Owens stated that you had to prepare for all conditions - it was headed that way now.

Mr. Rucker stated that this was kind of like special legislation - for specific areas of the state. He stated that is, at times, special legislation passed that affects only a certain area of the state or certain county which is totally illegal, but it has been passed and Home Rule makes it illegal, but it still passes and is still implemented. Mr. Rucker stated that perhaps Mr. Jeffcoat was right, maybe Council needed to find out what Home Rule was all about especially when all of the county's House members, some of whom live in municipalities, voted for the hog bill.

Mr. Jeffcoat asked if he would be correct in saying the entire Lexington Delegation voted for it on the House side?

Mr. Rucker responded, yes.

Mr. Cullum asked Mr. Rucker if he was sure of that, that he thought he had gotten a report that Mr. Huggins.....

Mr. Derrick stated that Mr. Huggins didn't vote.

Mr. Rucker stated that he needed to confirm his response about the vote, but as of the day it was coming to vote every one of the county's House members was voting for it. He added that Mr. Huggins may not have voted.

Mr. Cullum stated that he believed the last report of the vote tally he received indicated Mr. Huggins was the only one who showed Home Rule support. He stated that if he was wrong he would publicly state so.

Mr. Rucker stated that he would get the information; they were in line at one time.

Mr. Owens stated that he believed he received something from the Association of Counties indicating that Walt McLeod voted against the legislation.

Mr. Davis asked if the wish of Council was to write a letter to the Delegation asking for an explanation of Home Rule. The response was yes.

Executive Session/Legal Briefing - A motion was made by Mr. Carrigg and seconded by Mr. Derrick that Council enter executive session to receive the legal briefing and discuss other legal matters.

In Favor: Mr. Carrigg
 Mr. Rucker

Mr. Derrick
Mr. Wilkerson

Mr. Jeffcoat
Mr. Owens

Mr. Keisler
Mr. Cullum

Mr. Davis reconvened Council in open session.

6:00 p.m. - Public Hearings - Ordinance 03-1 - An Ordinance to Sell Real Property Owned by the County of Lexington - 0.393 Acre - Formerly a Portion of Medical Circle - Mr. Davis stated that no one had signed up to speak in favor or against the ordinance.

Mr. Davis opened the meeting for comments in favor or against the ordinance. No comments were received. Mr. Davis closed the public hearing.

Mr. Davis stated that a motion was to be considered as a result of the executive session.

Military Leave - A motion was made by Mr. Derrick and seconded by Mr. Carrigg that during this time of military crisis when citizen soldiers are mobilized by the President of the United States that the county, in those cases, make those employees whole by making up the difference between their military pay and their civilian pay, assuming that their military pay is less.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Derrick	Mr. Carrigg
	Mr. Rucker	Mr. Wilkerson
	Mr. Keisler	Mr. Jeffcoat
	Mr. Owens	Mr. Cullum

Comments - Mr. Jeffcoat - Mr. Jeffcoat stated that he wanted to make a correction on an issue discussed earlier, that he understood there is a state law in place that will not allow municipalities to appoint anyone to their boards/commissions from outside the municipal limits. Mr. Jeffcoat stated that he stood corrected.

Comments - Mr. Rucker - Mr. Rucker stated that copies of the House members who voted for the hog bill were available for anyone who wanted a copy.

Executive Session/Legal Briefing - A motion was made by Mr. Carrigg and seconded by Mr. Jeffcoat that Council return to executive session to complete the legal briefing and to discuss legal matters.

In Favor:	Mr. Carrigg	Mr. Jeffcoat
	Mr. Rucker	Mr. Derrick
	Mr. Wilkerson	Mr. Keisler
	Mr. Owens	Mr. Cullum

Mr. Davis reconvened the meeting in open session and reported that no motions were to be considered as a result of the executive session.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Dorothy K. Black
Clerk

George H. Smokey Davis
Chairman